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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/345,820	06/30/1999	LYNN Y. SHIMADA	13065.36.1.1	1703

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KIRTON AND MCCONKIE  
1800 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
P O BOX 45120  
SALT LAKE CITY, UT 84145-0120

EXAMINER

BASHORE, ALAIN L

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/09/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/345,820

Applicant(s)

SHIMADA, LYNN Y.

Examiner

Alain L. Bashore

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 5-6-02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/345,820 is acceptable and a CPA has been established. An action on the CPA follows. A preliminary amendment filed 6-14-02 is entered.

### ***Specification***

2. The use of the trademarks such as QUICKEN has been noted in this application. All trademarks should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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The recitations to "conspicuously" and "normal" are considered vague and indefinite as relative terms.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al in view of Gilai et al in further view of IBM Technical Disclosure Bulletin (October 1976).

Anderson et al discloses an electronic payment method, including receiving a vendor identifier, consulting a vendor database and retrieving and presenting a preferred payment method identifier (e.g., column 9, line 55 et seq; column 12, line 62 et seq; column 10, line 65 et seq; column 13, line 45 et seq; column 16, line 19 et seq; cf. relational database at column 15, line 47 et seq).

Anderson et al also discloses an accounts payable database (e.g., at 66) (e.g., Figures 1-3; column 7, line 55 et seq; column 9, line 55 et seq; column 11, line 37 et seq), check drafting and electronic payments (e.g., column 10, line 7 et seq; column 10, line 23 et seq), changing vendor payment methods (e.g., via update of vendor master file at column 12, line 62 et seq; column 13, line 7 et seq), referencing a database and

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presenting vendor for verification (e.g., invoice review at column 7, line 52 et seq), and accounting software application (e.g., Figures 1, 2, 4-6; column 2, line 7 et seq).

Anderson et al do not disclose:

phonetic matching per se (cf, discussion of database parametric filtering at column 6, line 1 et seq; column 8, line 57 et seq);  
vendor identifier approximation determination; and,  
performing the method substantially on the customer's computer system eliminating the need for an invoice collection and payment intermediary thus allowing the customer to electronically determine which of the plurality of payment methods is to be employed.

Gilai et al discloses an electronic method that could be used for payments (e.g., column 4, line 48 et seq) and that utilizes phonetic matching to provide lists from a database pursuant to a user-initiated database search (e.g., column 6, line 50 et seq; column 7, line 5 et seq). Gilai et al teaches that phonetic matching provides an improved means of retrieving relevant information from a database in which user input may be erroneous (e.g., column 3, line 1 et seq). Gilai et al also discloses identifier approximation (e.g., column 7, line 57 et seq) and teaches that a user-supplied identifier approximation method provides an improved means for extracting pertinent information from a database (e.g., column 8, line 1 et seq).

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It would have been obvious to one with ordinary skill in the art to provide phonetic matching of vendor database identifiers, as taught by Gilai et al, on the method of Anderson et al to facilitate payment of vendor accounts.

It would have been obvious to one with ordinary skill in the art to provide to Anderson et al a means of approximating and verifying user provided identifiers for the purpose of a means to facilitate information extraction from a database as taught by Gilai et al.

IBM Tech Disclosure Bulletin discloses performing a method substantially on the customer's computer system eliminating the need for an invoice collection and payment intermediary thus allowing the customer to electronically determine which of the plurality of payment methods is to be employed (see disclosure text).

It would have been obvious to one with ordinary skill in the art to modify Anderson et al in view of Gilai et al to perform their method substantially on the customer's computer system eliminating the need for an invoice collection and payment intermediary thus allowing the customer to electronically determine which of the plurality of payment methods is to be employed because of what is taught by the IBM Tech Disclosure bulletin. The IBM Tech Disclosure Bulletin teaches that allowing the customer to perform the method substantially himself allows for the elimination of paperwork (lines 1-4 of text).

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***Response to Arguments***

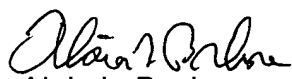
7. Applicant's arguments with respect to claims of record have been considered but are moot in view of the new ground(s) of rejection.


***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 703-308-1884. The examiner can normally be reached on about 7:30 am to 5:00 pm (Alternate Fridays Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1113.

  
Alain L. Bashore  
September 6, 2002

  
VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600